

# **Exhibit 6**

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

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4 PENSKE MEDIA CORPORATION, ) Case No:  
5 Plaintiff, ) 1:20-cv-04583-MKV  
6 v. )  
7 SHUTTERSTOCK, INC., )  
8 Defendant. )  
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11 VIDEOTAPED DEPOSITION OF

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13 LAUREN GULLION

14 December 23, 2021

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25 Reported by: MIRANDA L. PEREZ, CSR No. 14352  
Job No. 204157

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF NEW YORK

3

4 PENSKE MEDIA CORPORATION, ) Case No:  
5 Plaintiff, ) 1:20-cv-04583-MKV  
6 v. )  
7 SHUTTERSTOCK, INC., )  
8 Defendant. )  
9

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12 Deposition of LAUREN GULLION,  
13 taken on December 23, 2021, commencing at  
14 12:47 p.m. and terminating at 4:23 p.m.,  
15 reported by MIRANDA L. PEREZ, a Certified  
16 Shorthand Reporter, License No. 14352, in and for  
17 the State of California pursuant to notice.

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1 Q This is lawyers at your company or with  
2 Ms. Arato's firm or both?

3 A Both.

4 Q And approximately how long -- did you meet  
5 with them multiple times?

6 A No, I did not.

7 Q Okay. About how long was your conversation  
8 with your lawyers?

9 A Approximately two hours.

10 Q What e-mail addresses do you use for  
11 work-related matters?

12 A LUTECHT@PMC.COM.

13 Q Do you know if anyone asked you to collect  
14 documents related to this lawsuit that we're here about?

15 A No.

16 Q I just will note that we don't have any  
17 e-mails from that e-mail address.

18 MS. ARATO: Yeah. She changed her name since  
19 2015.

20 MS. LACKMAN: Correct. So I just don't know  
21 if that address wasn't searched or --

22 MS. ARATO: She wasn't -- she had no  
23 involvement in this relationship in the recent years  
24 until now.

25

1 BY MS. LACKMAN:

2 Q When did your e-mail address change?

3 A Let's see. When did I get married? It would  
4 have been after November of 2017.

5 Q Okay. Do you use the e-mail address  
6 HR@PMC.com?

7 A I do.

8 Q Does anyone else have access to that e-mail  
9 address?

10 A Yes.

11 Q Who does?

12 A The HR team at PMC.

13 Q Who else is on the HR team?

14 A June Lee uses that. Kimberly-Ann Basdeo,  
15 Anne Doyle, Jamie Ray. To my knowledge, those are the  
16 people that have access.

17 Q Do you use text messaging for work?

18 A Yes, sometimes.

19 Q Do you use any other -- for work, do you use  
20 any other form of messages such as Slack, G-Chat,  
21 Instant Messenger? Anything thing like that?

22 A We do have Slack, yes.

23 Q Did -- in the past five years, did PMC have  
24 any other text messaging systems?

25 A No, not that I know of.

1 Q What is your current title at -- when I use  
2 the term "PMC," I mean Penske Media Corporation.

3 A Sure.

4 Q What is your current title with PMC?

5 A Senior Vice President of Human Resources.

6 Q How long have you had that title?

7 A Since January of 2021.

8 Q Prior to that, what was your job title?

9 A Vice President of Human Resources in Corporate  
10 Communications.

11 Q And when did you get that title?

12 A I don't remember.

13 Q Did you have any other titles at PMC other  
14 than your current title and VP of HR in Corporate  
15 Communications?

16 A Yes.

17 Q What was that?

18 A I was Director of HR in Corporate  
19 Communications. And previously, I was Executive  
20 Assistant to the CEO.

21 Q Did you start -- was that your first title at  
22 PMC? It was Executive Assistant to the CEO?

23 A Yes.

24 Q When did you start at PMC?

25 A Honestly, I don't remember. I have to check.

1 I left a couple times.

2 Q Okay.

3 A So I've been in my current role since July of  
4 2012 straight through.

5 Q I see. Do you remember when you were promoted  
6 to director or moved to director of HR in Corporate  
7 Communications?

8 A That was July of 2012. After I had gone to  
9 graduate school, I came back into that role.

10 Q Oh, I see. So you were Executive Assistant,  
11 and then you left and then came back?

12 A Uh-huh.

13 Q Okay.

14 A Yes.

15 Q And then so do you remember when you got  
16 promoted to VP of HR?

17 A I don't.

18 Q Do you recall about when you were Executive  
19 Assistant to the CEO?

20 A Well, I left -- okay.

21 So I was in that role for two years ending in  
22 August of 2009, so I'm assuming in about 2007 to 2009.  
23 And then my first time in the role, I was there for six  
24 months, and I don't remember the dates, to be honest.  
25 It was prior to that.

1 Q What are your current roles and  
2 responsibilities at PMC?

3 A I oversee the HR Department at PMC.

4 Q And when you were in your prior two roles,  
5 what -- well, actually, let me take that back.

6 What's involved in overseeing the HR  
7 Department of PMC?

8 A That includes recruiting the human resources  
9 business partners that work across the organization, so  
10 employee relations, a bit of internal communications.

11 Q Internal communications of a particular area  
12 or just --

13 A No, to staff.

14 Q Okay. And then during your time, let's say  
15 the five years leading up to your recent job, that  
16 five-year period -- because I don't know when you were  
17 director or when you were VP.

18 So that prior five years, what were your  
19 general job responsibilities?

20 A Similar to what I do now. I oversaw part of  
21 the HR team, and I worked as an HR partner as I do today  
22 as well. And in addition, I had some responsibilities  
23 related to communications.

24 Q In around 2015, who else was responsible for  
25 Corporate Communications?

1 MS. ARATO: Objection. Compound.

2 BY MS. LACKMAN:

3 Q Yeah. Who would be responsible for the copy  
4 that appears on the --

5 A Yeah. So this section you're the pointing to  
6 "About Penske Media Corporation," that would be the  
7 responsibility of Brooke Jaffe.

8 Q And who is she?

9 A I'm not remembering her title, but she's the  
10 vice president of, I think, public affairs.

11 Q Do you understand that PMC and Shutterstock  
12 entered into an agreement in around 2015?

13 A Yes.

14 Q What's your understanding of what that  
15 agreement was designed to do?

16 A That it was a partnership between Shutterstock  
17 and PMC.

18 Q Do you have any understanding of what the main  
19 goals of the partnership were to be?

20 A Sure. It was allowing Shutterstock to move  
21 into the editorial space and to have access to events  
22 put on by PMC brands and also to have access to the  
23 photo archives that -- the more kind of longstanding  
24 brands that PMC have.

25 Q Did you ever see a copy of the agreement?

1 A No, I did not.

2 Q What is the source of your understanding about  
3 the goals of the agreement?

4 A I attended a meeting in New York where I  
5 remember learning about it.

6 Q Okay.

7 MS. LACKMAN: Let me mark as Exhibit 2, a  
8 document Bates stamped PMC\_21309 through 10.

9 (Exhibit 2 marked for identification.)

10 BY MS. LACKMAN:

11 Q Do you recognize this e-mail exchange?

12 A Yes, I do.

13 Q Were you involved in negotiating the term  
14 sheet?

15 A No, I was not.

16 Q Do you know why Jay Penske included you in the  
17 e-mail exchange?

18 A No, I don't know.

19 Q Do you have any understanding of whether he  
20 was referring to you in his comment, "Been on the phone  
21 with John and Ben all day, Shutterstock, and I finally  
22 think we got their boys"?

23 MS. ARATO: Objection. Vague and confusing.

24 THE WITNESS: Can you repeat the question  
25 back, please?

1 it is.

2 Q Okay. Do you see that you were referenced as  
3 -- you were referenced under communications.

4 A Yes.

5 Q What does -- generally, what does Corporate  
6 Communications mean to you?

7 MS. ARATO: Objection. It says  
8 "communications." It doesn't say "Corporate  
9 Communications."

10 BY MS. LACKMAN:

11 Q What does "communications" mean to you?

12 A In general?

13 Q Right. In the context of this -- in the  
14 context of your involvement in 2015?

15 A Sure, sure. Writing a press release.

16 Q Okay. On the next page there's references to  
17 east coast and west coast and logistics teams.

18 Do you see that?

19 A I do.

20 Q Do you know who Jenna Greene is?

21 A I don't.

22 Q How about -- do you know about any of the six  
23 people that are listed under the logistics team's  
24 headings?

25 A I do know the west coast, which is

1 STATE OF CALIFORNIA )  
2 )  
3 COUNTY OF LOS ANGELES )  
4

5 I, MIRANDA L. PEREZ, a Certified Shorthand  
6 Reporter of the State of California, do hereby certify:

7 That the foregoing proceedings were taken  
8 remotely at the time and place herein set forth; that  
9 any witnesses in the foregoing proceedings, prior to  
10 testifying, were placed under oath.

11 That a verbatim record of the proceedings was  
12 made by me using machine shorthand which was thereafter  
13 transcribed under my direction; further, that the  
14 foregoing is a true and accurate transcription thereof.

15 I further certify that I am neither  
16 financially interested in the action nor a relative or  
17 employee of an attorney of any of the parties.

18 In witness whereof, I have hereunto subscribed  
19 my name.

20 Dated: January 12th, 2022

21   
22

23 MIRANDA L. PEREZ  
24 Certified Shorthand Reporter  
25 CSR No. 14352